



Memorandum

Agenda Item No. 11(B)3

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members Board of County Commissioners

DATE: November 4, 2003

FROM: George M. Burgess
County Manager

SUBJECT: 2004 Preliminary State
Legislative Package

Attached please find the 2004 Preliminary State Legislative Package, including a list of County appropriations requests. The Preliminary Package reflects requests compiled with input from Department Directors and Assistant County Managers, in consultation with the Office of Intergovernmental Affairs. In addition, the Office of Intergovernmental Affairs has been participating in meetings with and will continue to reach out to Commissioners to discuss and develop legislative strategies initiated by members of the Board. Those priorities may be advanced to the Board for inclusion in the state plan by separate resolution or incorporated into the attached legislative package prior to its final approval in February.

As you know, we expect State budgetary pressures to once again present a significant fiscal challenge for Miami-Dade County as a result of various issues confronting the Florida Legislature. Of particular concern to the County is the final implementation of Revision 7 of Article V of the Florida Constitution. As a result, we will need to prioritize legislative initiatives and funding requests to maximize our effectiveness during the legislative session.

As in the past, please note that in addition to specific items included in this package, Miami-Dade County will support compatible and concurrent legislative efforts of our municipalities and several entities including: the Tri-County Commission, consisting of members of Miami-Dade, Broward and Palm Beach Counties; the Florida Association of Counties; the Florida League of Cities; the Florida Police Chiefs Association; the Florida Ports Council; the Florida Airports Council, the Miami-Dade County Public Schools; the 11th Judicial Circuit; the Miami-Dade County Expressway Authority; the Miami-Dade County Health Department; Friends of the Library and various local chambers of commerce.

The Office of Intergovernmental Affairs and members of my staff remain available to assist you in researching and developing additional legislative priorities.

Attachment

Assistant County Manager

**MIAMI-DADE COUNTY
2004 PRELIMINARY STATE LEGISLATIVE PRIORITIES**

CRITICAL ISSUES

COSTS SHIFTS/BUDGET CUTS: OPPOSE any legislation which diminishes the County's revenue streams and any additional cost shifts from the State to Miami-Dade County. PROTECT the benefits Miami-Dade County receives from existing revenue sharing formulas for local governments.

ARTICLE V/REVISION 7: SUPPORT legislation that would provide a source of revenue to repay Miami-Dade County revenue bonds for courthouse construction and financing. SUPPORT passage of an Article V glitch bill that is consistent with the constitutional amendment passed by voters in 1998 and that would complete the final phase of Article V implementation of state funding of the state court system. This priority is subject to further refinement under separate cover and recommendation by the County Manager.

SENIOR CITIZENS: SUPPORT legislation and/or budget funding that provide meals or other dietary intake services to the elderly. SUPPORT the Haitian Senior Focal Point which assists elderly citizens by providing outreach services, educations and training activities. SUPPORT the development of a Constitutional Amendment freezing the tax assessments on property of low-income senior citizens receiving homestead exemption.

CHILDREN'S SERVICES: MONITOR and SUPPORT the development of a universal, voluntary pre-kindergarten program and legislation consistent with the intent of the voter approved Universal Pre-K Constitutional Amendment. SUPPORT increased funding to improve child-care quality, standards and safety. SUPPORT increased funding for the expansion of the Florida KidCare Program to provide coverage for immigrant children, the extension of Medicaid eligibility to reach working poor parents up to 200% of the federal poverty guidelines. SUPPORT the expansion, increased access to and funding for the Relative Caregiver Program for relatives raising children.

COUNTY MEDICAID NURSING HOME AND HOSPITAL INPATIENT SERVICES: OPPOSE legislation that increases the County contribution cap or adds day(s) to the County's responsibility for Medicaid Hospital Inpatient Services. SUPPORT legislation that sustains or expands health care programs with recurring state funds.

PREEMPTION/COUNTY CHARTER AUTHORITY: OPPOSE any legislation that preempts county or municipal government from acting in an area it currently regulates or otherwise hinders or restricts county administration or legislative authority. MAINTAIN local control. OPPOSE legislation which would weaken the Miami-Dade County Home Rule Charter, the Office of the Mayor, Board of County Commissioners and the County Administration. OPPOSE other legislative efforts that weaken the County's authority including any effort to impose a state-mandated Aviation Authority.

JUVENILE JUSTICE FUNDING: SEEK adequate funding for Miami-Dade County's juvenile justice system, including continued state support for the Juvenile Assessment Center and the Juvenile Alternative Sanctions Program.

OTHER LEGISLATIVE AND POLICY POSITIONS

TRANSPORTATION

REGIONAL TRANSPORTATION: SUPPORT legislation that authorizes counties to impose an additional \$2 license tag fee as an alternate or additional source of funding for the Regional Transportation Authority created during the 2003 Legislative Session.

SURFACE TRANSPORTATION FUNDING: OPPOSE redirecting any funding that provides for current or future county transportation or other needs to fund the High Speed Rail initiative. SEEK funds to continue innovative WAGES bus routes that were funded for just one year. SEEK funds to reimburse the County for the Medicaid Transportation Program.

AVIATION FUNDING: SUPPORT full funding for the Secure Airports for Florida's Economy (SAFE) program created by the legislature. SUPPORT full funding of Aviation Capital Projects included in FDOT's FY 2005 work program which includes:

SEAPORT FUNDING: SUPPORT continued funding of the Sunshine State Loan Program and the Florida Port Council's efforts in securing funding sources for Florida's seaports. SUPPORT retaining the Council's current organizational structure and funding review process. SUPPORT continued funding from other Florida Department of Transportation funds to assist the Port in its dredging and off-port access improvement projects.

TRANSPORTATION DISADVANTAGED PROGRAM: SUPPORT legislation that would provide additional state funding for the transportation-disadvantaged program.

STATE ROAD NAMING: Items as directed by the Mayor and Board of County Commissioners

AIRPORT AND SEAPORT SAFETY: SUPPORT legislation aimed at ensuring the safety, security and providing necessary funds for the Miami-Dade County Airport and Seaport.

SEAPORT: SUPPORT legislation prohibiting individuals from carrying concealed weapons or firearms into any seaport restricted area and or area of seaport cargo operations. OPPOSE any legislation requiring the imposition of any tax, fee, surcharge on cruise lines and or its passengers, unless such initiative is endorsed by the cruise line industry.

TRANSIT: SUPPORT legislation to modify Chapter 316, and 322.61 to reflect new federal guidelines regarding Commercial Driver's Licenses.

PRIVATE SCHOOL BUS REGULATION: SUPPORT legislation authorizing counties to periodically inspect private school buses, applying the same standards used for public school buses.

HUMAN SERVICES/HOUSING

COUNTY HEALTH SERVICES: SUPPORT state funding for county health initiatives and programs, including continued and expanded state support for Jackson Memorial Hospital and the Public Health Trust. Priorities include budgetary language that ensures full funding for the Disproportionate Share Program, Kidcare/Healthy Kids and the Medically Needy Program.

HOUSING & HOMELESS PROGRAMS: SUPPORT funding for targeted funding initiatives within Miami-Dade County including the Crisis Outplacement Housing and Services for Homeless Mentally Ill. SUPPORT the SHIP program and preserving a dedicated funding source for affordable housing initiatives.

PUBLIC SAFETY

MIAMI-DADE POLICE: SUPPORT legislation requiring the Florida Department of Highway Safety and Motor Vehicle to retain documents relating to vehicle titles in a format approved for use in court. SUPPORT legislation to correct a provision of Florida Law that prevents prosecution for forging traffic citations. SUPPORT legislation allowing for warrantless arrests for misdemeanors committed on public transit outside of the presence of a police officer.

PRE-TRIAL RELEASE: OPPOSE legislation that would adversely affect the Pre-Trial Release program and increase county detention costs.

CORRECTIONS: SUPPORT legislation delegating arrest powers to correctional officers with limitations and restrictions granting authority to effect an arrest on an inmate in custody.

EMERGENCY TRANSPORTATION PLANS: SUPPORT legislation that requires private schools and licensed day care providers within 10 miles of a nuclear power plant to develop and maintain emergency evacuation transportation plans for their facility population.

FIREWORKS REGULATION: SUPPORT legislation that requires the purchaser of fireworks to provide proof of exemption or a permit issued by the local fire authority.

TRAFFIC FINE REVENUE/COUNTY-WIDE RADIO SYSTEM: OPPOSE legislation that decreases or diverts traffic fine revenues that Miami-Dade County receives annually to support its inter-agency radio system.

DIAL-A-LIFE: SUPPORT legislative or administrative action that would transfer State surplus cell phones to the Miami-Dade County Dial-A-Life Program.

ENVIRONMENTAL & WASTE MANAGEMENT

FLOOD MITIGATION: SUPPORT continued efforts to address flood mitigation projects in the South Florida area flood zones. SUPPORT Project Impact a drainage program for the residents of unincorporated Miami Dade.

WATER AND SEWER PROJECTS: SUPPORT continued funding for the State Revolving Fund providing low interest loans for eligible water and wastewater system projects. SUPPORT legislation that maintains local control over feasibility, reuse, water pricing and comprehensive planning activities.

WASTE-TO-ENERGY: OPPOSE any state legislation allowing utility deregulation that limits or impairs waste to energy production. Ensure that the term "renewable energy" includes electricity generated from incinerated municipal solid waste. MAINTAIN the current state of the law which defines waste to energy as renewable, sets the standards for the purchase of power from renewable sources and grants tax credits.

SOLID WASTE MANAGEMENT: SUPPORT reinstatement of statewide funding proposals related to solid waste management services including the Recycling and Education Grant program, the Litter Control and Prevention Grant program and the Waste Tire Grant program.

FLORIDA FOREVER: SUPPORT full funding of the Florida Forever program and any other environmental program that provides county and municipal matching funds.

BEACH EROSION: SUPPORT continued full funding for the Florida Beach Erosion Control program.

FINANCE AND ADMINISTRATION

EMPOWERMENT ZONE: SUPPORT State funding for the federal empowerment zone program. Such funding will greatly enhance economic development, job training, neighborhood project investment and the Capital Venture Discretionary Fund which makes equity investments in business opportunities within the Empowerment Zone.

GENERAL GOVERNMENT

BUILDING AND LICENSING: SUPPORT maintaining the level of protection offered by the Miami-Dade product evaluation and appraisal process and enforcement. SUPPORT increased local disciplinary power and

funding for licensing violators and unlicensed building activity. SUPPORT legislation allowing local governments to assess a reasonable fee for inspection of elevators by building officials or private contractors.

CONSUMER SERVICES PROTECTION: SUPPORT legislation that allows for local control of consumer services issues such as: predatory lending, motor vehicle repair shop charges, used auto warranties, and auto title loans. OPPOSE any legislation that intends to weaken local control on current regulated industries such as wrecker services/towing, communications tax, general consumer services, ambulances, and for-hire-transportation vehicles.

VOTER EDUCATION & EQUIPMENT REIMBURSEMENT: Seek reimbursement for all expenses related to voter education, ADA compliance, and enhanced voting equipment made available to local governments through federal law.

EXPANSION OF THE ENTERPRISE ZONE: SUPPORT legislation that expands the Miami-Dade County Enterprise Zone to include the Miami Metro Zoo, Miami International Airport, and the area surrounding both facilities. The designated Enterprise Zone offers fiscal incentives to business and could assist in the development of increased economic activity and job growth in the area surrounding the Miami Metro Zoo. SUPPORT funding efforts and the reauthorization/sunset extension of the Enterprise Zone program.

RETAINAGE / SURETY BONDS: OPPOSE any legislation that would affect the County's ability to negotiate construction contracts as it relates to retainage and surety bonds.

VALUE ADJUSTMENT BOARD: SUPPORT legislation that would allow property appraisers sufficient time to assemble, prepare and provide the responsive information to taxpayers who appeal their property assessment.

ETHICS COMMISSION: SUPPORT legislation to amend current state law that allows the Florida Commission on Ethics and the Miami-Dade County Commission on Ethics concurrent jurisdiction to allow for disposal of complaints after a full and fair proceeding in the interest of undue hardship as an inefficient use of limited resources.

RETAIL SALES OF ALCOHOLIC BEVERAGES: SUPPORT legislation allowing local governments the ability to regulate the retail sale of refrigerated or cooled individual containers of alcoholic beverages in order to deter any person from operating a motor vehicle, vessel, or heavy equipment under the influence of alcoholic beverages.

CULTURAL & RECREATIONAL INITIATIVES

CULTURAL AND HISTORICAL GRANTS: SUPPORT legislation that restores funding for cultural and historical entities within Miami-Dade County to FY 2002 -2003 levels, reactivates the Department of State's annual review and legislative appropriations process, and reestablishes the Corporations Trust fund as the dedicated funding source for cultural programs.

LIBRARY FUNDING: SUPPORT increased funding for the state-funded library program for each dollar of local expenditure as provided in s. 257.17 F.S. SUPPORT the Department of State's 2003/2004 budget that brings State Aid to Libraries grant program to a funding level of \$43,530,000 or 10.05 cents of every \$1.00 of local funds spent for the operation and maintenance of a library.

PARKS AND RECREATION: SUPPORT funding for all Miami-Dade County Parks that have applied for state funding through the FRDAP and Florida Communities Trust 2001 Florida Forever grant programs. SUPPORT full funding for Hidden Ruins of Tropical America and FDOT's Rails to Trails Greenway program, the Department of Environmental Protection's Invasive Plant Management, and the South Florida Water Management District's Biscayne Bay Regional Restoration at Deering Estate – Cutler Glade.

APPROPRIATIONS REQUESTS

NATURAL & ENVIRONMENTAL RESOURCE MANAGEMENT

Miami River Dredging Federal Channel	\$2,000,000
Miami River Dredging Non-Federal Channel	\$4,000,000
Beach Erosion Control	\$3,500,000
FEC Borrow Canal Dredging	\$4,000,000
Biscayne Bay Surface Water Quality Monitoring (SWIM)	\$200,000
Biscayne Bay Surface Water Quality Model	\$200,000
Miami River Basin 21 Retrofit Capital Improvement	\$1,000,000
C-6 Watershed Planning	\$750,000
Solid Waste Programs Grant Funding (Waste Tire, Electronics, Recycling)	\$1,500,000
Country Walk Sanitary Sewer Facilities	\$1,000,000
Perrine Cutler Ridge Sanitary Sewer Improvements	\$1,000,000
NW 79 th Street Sanitary Sewer Improvements	\$500,000
Emergency Generators #4 & #5 at Central District Wastewater Treatment Plant	\$500,000

EMPOWERMENT ZONE TRUST

Miami-Dade Empowerment Trust's Revitalization Initiative	\$5,000,000
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HOMELESS TRUST

Crisis Outplacement Housing and Services for Homeless Mentally Ill	\$675,000
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HUMAN SERVICES

Miami-Dade Housing Crime Prevention	\$2,400,000
Respite Care for Persons With Disabilities	\$77,000
High Risk Nutritional Program for Elders	\$1,200,000

JUVENILE SERVICES

Juvenile Alternative Services Program/JASP	\$1,200,000
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COMMUNITY ACTION AGENCY

Youth Leadership Project	\$90,000
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CULTURAL AFFAIRS & PUBLIC LIBRARIES

State Aid to Public Libraries	\$2,900,000
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PUBLIC SAFETY & PARKS AND RECREATION

Metro Zoo's Dr. Wilde's World	\$535,000
Metro Zoo's Hidden Treasures of Tropical America	\$6,000,000
South Dade Greenways	\$1,000,000
Deering Estate-Cutler Glade Rehydration Addition	\$924,000
Join a Team Not a Gang	\$200,000

PERFORMING ARTS CENTER OF GREATER MIAMI

Funding for Regional Cultural Facilities Grant Program (statewide)	\$10,000,000
(Statewide funding would provide grants of \$2.5 million/year over an eligibility period of 4 years)	

TRANSPORTATION

North Corridor Metrorail extension	\$5,000,000
MIC/MIA Connector	\$11,504,000